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MISCELLANY.

May Finger Prints of Different Persons Be Alike.—We had always supposed, in accordance with the popular impression, that no two finger prints made by different persons are ever alike. However Mr. Milton Carlson, of Los Angeles, one of the greatest finger print experts in the world doubts the popular impression. Replying to a question on this point before the section on Criminal Law of the American Bar Association at Cincinnati last summer he said in part:

"I doubt that, for this reason: Those who are mathematicians and arithmeticians here, let's figure just a moment. A finger print occupies an area of approximately one-half a square inch. Take your own index finger, touch a pad and put it on a piece of paper, and if you measure it you will find that it occupies approximately half a square inch. Then count the lines across from top to bottom and from left to right. There are never as few as ten and never as many as forty. Therefore, 25 would be an average approximately. Now, there are 25 lines from top to bottom and from left to right, and you are given a limited area of approximately half a square inch, or whatever it might be. Now we count the number of lines and endings, whether abrupt endings, etc., by which we identify finger prints. Being a limited area to begin with and a limited number of lines within that area, there must be essentially a very quick limitation."

Mother Love.—In speaking in the United States Senate on "The Maternity Bill," Honorable James A Reed, of Missouri, paid the following tribute to the mother:

"A wise man places all important tasks in experienced hands. He does not engage as a civil engineer a man who has never seen a level; as a doctor, a person unacquainted with anatomy; or as an instructor in music, an individual ignorant of its notes. Is it not the height of unwisdom to delegate the solution of problems of child bearing and child care to a woman who has not had the experience of motherhood, and very possibly does not so desire, or to a bachelor girl who never beheld in a baby's eyes the mirrored vision of a mother's tender love, nor watched the loving dimples in a baby's cheek gather to welcome a mother's rapturous kiss?

"What I have said and shall say I mean to apply to the members of the Children's Bureau, including its servants, agents, and employees, substantially all of whom enjoy the blissful and seemingly perpetual state of single blessedness.

"I care not how estimable the officeholding spinster may be, nor how her heart may throb for the dream children she does not possess, her yearnings cannot be substituted for a mother's experience. Official meddling cannot take the place of mother love. Mother love! The golden cord that stretches from the throne of God, uniting all animate creation to divinity. Its light gleams down the path of time

from barbarous ages, when savage women held their babes to almost famished breasts and died that they might live. Its holy flame glows as bright in hovels where poverty breaks a meager crust as in palaces where wealth holds Lucullan feasts. It is the one great universal passion—the sinless passion of sacrifice. Incomparable in its sublimity, interference is sacrilege, regulation is mockery.

"The wild beasts hear its voice and answer to its call. A tigress finding her cubs slaughtered pauses to lick their wounds, and then with raging heart seeks out their murderer. A she wolf standing at the mouth of her den, with gleaming fangs and blood-red tongue, dies in defense of her whelps. Tiger's cub or wolf's whelp, I would rather feel the rough caresses of the hairy paws of my savage mother, I would rather have her care and protection than that of an official animal trainer.

"I once saw a little timorous mother quail, with marvelous intelligence and still more marvelous courage, protect her brood by exposing herself to the hunter's deadly aim. I then realized that nothing could take the place of mother love.

"If its divine fire so warms and thrills the heart of beast and bird, with what intensity does it consume the bosom, with what ecstasy inspire the soul of a woman, for the child of her body! Although she knows that she must risk her own to bring forth a new life, she does not draw back. Her love-lit eyes behold only visions of happiness, of glory, and of power to be realized by her unborn child. With smiling lips and eager heart she enters the vale of shadows. The first cry of the newborn falls on her ear, sweet as the music of paradise. Her trembling hands caress the tender skin; her soul cries out the anxious question, 'Will my baby live?' The torturing days of convalescence fly swiftly upon wings of hope. She nestles the tiny, helpless thing to her bosom; sustains it with the milk of her body, every drop drawn from a fountain of infinite love.

"With indescribable solicitude she watches over her offspring. Even when her body slumbers her soul keeps vigil and her hands in unison with her spirit will stretch forth to soothe the baby back to sleep. With glowing pride she watches the growing child, shields it from harm, guides it along the paths of rectitude, inspires its soul with lofty sentiments of honor and of faith in the eternal God.

"When time has piled the snows upon her head and turned her brown or raven locks to white, her love will still abide, riper and sweeter with the passing years. Though she may live until her children are themselves grown old and gray, she yet will see the silken locks of youth; their roughened hands yet have the caressing touch of baby fingers; their voices bear to her the tender and melodious notes of industry. And when at last she approaches the portals of death there is no solace so sweet as the presence of those she bore 'to people and replenish the earth.'

"For mother love there is no substitute, even though it bear an

official stamp. If there be truth in religion, then this holy sentiment was planted in woman's heart by the hand of God. It has made life possible. It is in truth the very source of life itself. When all other passions are dead it survives. It will pass through the fiery furnaces of disgrace and yet live. It will endure the scorching breath of contumely with unwavering fidelity.

"A mother will enter prisons of shame and kiss a felon hand thrust through the bars. She will sit beside the accused in courts of law, when the mob jeers and the heartless machinery of justice grinds its grist of agony, and with unwavering faith maintain her child is innocent. She will stand at the foot of the scaffold and, when the trap has fallen, cover the condemned body with kisses and with flowers. It is still to her the innocent suckling she once hugged to her breast.

"But if the path of life has led her son to fields of honor, her heart will glow with pride, ineffable, unspeakable. If he is called to war, she will bid him good-by with dry eyes, although her heart be filled with tears. She will maintain a firm and hopeful mien that he may gain sublimer courage from her sublime example. When he sleeps upon the tented field her spirit will keep watch. Whilst he is slumbering she will pray. In the agony of waiting she will die a thousand deaths, but will choke back her sobs and hide her torture. She will search for him amongst the slain and try with kisses to warm the dead and unresponsive lips to life. She will coffin her heart with the beloved body, and her soul will keep the eternal vigil of a deathless love.

"Mother love! It has produced, fondled, reared, inspired, and glorified all of the shadowy hosts who have passed across the 'bank of time' since man first raised his eyes toward the heavens. It is, I say again, the golden cord that binds the earth to God. Official interference between the mother and her babe is tyrannical and criminal."

QUESTIONS ON BAR EXAMINATION HELD AT RICHMOND, VA., DECEMBER 13-14, 1921.

Section 1.

1. You are retained to defend a person charged with crime, and your client insists upon the introduction of a witness who will testify to an alibi, you, your client and the witness know to be false. What course would you pursue?

2. In the trial of a case in the Circuit Court of Henrico County the following matters are material to the inquiry:

- (1) An act of Congress.
- (2) An ordinance of the City of Norfolk.
- (3) The county seat of Prince Edward County.

Which, if any, of them must be proved and how may it be done?

3. The defendant in a murder case testifies in his own behalf,

no evidence of character has been introduced. May the Commonwealth prove his general reputation for truth and veracity?

4. Upon the trial of an action of ejectment it becomes material to ascertain whether Adam Neese, now deceased, was the heir of Robert Neese, deceased; James, a grandson of Adam Neese, offers to testify that his father and other members of the family, now deceased, told him that Adam was the only son of Robert Neese. Is this testimony admissible?

5. A. B. and C. are jointly indicted for the murder of X., the indictment charging a conspiracy. They elect to be tried separately. Upon the trial of A. after *prima facie* proof of the conspiracy the Commonwealth introduces a witness who heard B. say to C., "Meet A. and me at X's tonight with your gun and we will kill the rascal"; the same witness after the killing also heard B. say to H., "A and I both shot X." Are these statements admissible?

6. Ogden sues the executor of Blair upon an oral contract made between the plaintiff and Blair. Doctrine as to Ogden's competency as a witness at common law and in Virginia.

7. Miller sues Sharpe on a note, Sharpe pleads payment. Bystander is called as a witness and testifies that he saw Sharpe pay Miller the amount of the note. Bystander admits that on the first day of Court he and Miller had a fight and Miller whipped him. Sharpe then offers testimony as to statements made by Bystander prior to the fight and consistent with his present testimony. Is this evidence admissible?

8. What is the distinction between (1) murder in the first and second degrees (2) murder and manslaughter.

9. Ned, the Dip, surreptitiously extracts a twenty dollar bill out of Hayseed's pocket. Of what offense is he guilty?

10. Walker is on trial for burglary; the indictment charges a breaking with intent to steal, and the actual stealing of a watch from the house. The Commonwealth proves that the watch charged to have been stolen was found in Walker's possession on the day after the house was broken into. This is all the evidence in the case. Of what offense, if any, should Walker be found guilty?

11. Arthur Jones is indicted for seduction. After the indictment and before trial the General Assembly amends the seduction statute so as to allow a conviction upon the unsupported testimony of the prosecutrix. Does this amendment apply to Jones' case?

12. On the trial of a case at law you ask a witness a question which is objected to by the attorney on the other side and the objection sustained. You wish to obtain a ruling from the Supreme Court of Appeals upon the objection. What must you do in order that the matter may be considered by the Court of Appeals?

13. White sues Murphy for damages for an assault. The evidence shows that White first assaulted Murphy and that the injuries complained of were inflicted in necessary self defense and also that

Murphy was a special policeman, and necessarily made the assault upon White while White was resisting a lawful arrest. Murphy's attorney demurs to the evidence and assigns the following as his only ground of demurrer.

"The assault if any was excusable."

What should be the judgment of the court?

14. Landlord brings an action of ejectment in the Circuit Court of Pulaski County against Squatter. The declaration describes the property as "A certain parcel of land situated in Pulaski and Wythe Counties bounded as follows," inserting a good description. Squatter appears and files a disclaimer of all land in Pulaski County and asks for a continuance. At the next term of court Squatter moves the court to dismiss the action because no part of the land lies in Pulaski County. Should the suit be dismissed?

15. The Autocar Company, engaged in the business of selling automobiles, by deed of trust dated and duly recorded, August 15, 1921, conveyed to a trustee the stock of cars then in its sales-room, describing said cars by engine and factory number; the deed of trust secured the Broad Street Bank the payment of \$5,000.00. On Sept. 20, 1921, Charles Green recovered judgment against the Autocar Company for \$15,000.00, execution therefor going into the Sheriff's hands on Sept. 26. On October 20th, before the return day of the execution, the Sheriff levies on the cars. Assume that all transactions took place in the city of Richmond, what are the respective priorities?

16. (1) What is a *fieri facias*?

(2) What is an officer's return on a *fieri facias*?

Section 2.

1. Eli Hardfist is called over the telephone and asked if he will "stand for" the payment of drugs desired by his aged and infirm aunt. Hardfist agrees to do so but the druggist is unwilling to extend the credit to the Aunt without a written assurance that the bill will be paid. Charley Goodfellow who overhears the conversation telephones Hardfist who says "Well, I don't like to do it but you sign my name to a guarantee of this bill." Goodfellow does so and delivers it to the druggist who thereupon furnishes the Aunt with the drugs and charges them to her. She dies insolvent, without paying the bill. Who is liable for the debt?

2. Which, if any, of the following classes of persons is capable to act as agent for all purposes, (1) infants (2) married women (3) insane persons (4) convicts?

3. Henry Miller, a large cattle dealer, employs Robert Wilson as his agent to sell cattle. Wilson in good faith and obeying Miller's instructions, sells and delivers to Swift & Company a car load of steers sent him by Miller, receiving the money therefor and paying it to Miller. It develops that the steers belonged to William Carson and not to Miller. Carson sues Wilson for conversion, is he liable?

4. Hudson owns what is supposed to be a valuable iron mine. He

leases this mine to the Vulcan Iron Company for forty years, the Company, agreeing to pay a royalty of fifty cents a ton for all ore mined. The contract provides that "not less than ten thousand tons are to be mined each year. If less is mined royalty is to be paid on ten thousand tons." At the end of twenty years it is found that the iron ore is exhausted and the company ceases mining operations and vacates the property. Is it liable for the minimum royalties for the remainder of the years mentioned in the contract?

5. A borrows \$1000.00 from B giving him his note therefor. When the note becomes due A asks for more time within which to pay. B tells him that if he will pay \$750.00 in cash he will release the residue. A pays the money but B declines to surrender the note and sues A for the remainder \$250.00. Can B recover?

6. The Firestone Company sells to the Speedcar Company ten thousand 33 x 4 automobile tires, delivery to be made by January 1st, 1922. The Firestone Company is delayed in obtaining the raw materials from which to manufacture the tires and for this reason fails to deliver by January first, but tenders delivery on Feb. 15th, 1922. In the meantime tires decline in price and the Speedcar Company refuses to accept the tires tendered, and they are sold on the open market at a less price than that specified in the sale contract. Has the Firestone Company a right of action against the Speedcar Company?

7. Give five of the grounds for absolute divorce in Virginia.

8. Which of the parents is *prima facie* entitled to custody or minor children (1) at common law (2) in Virginia?

9. Promoter sells for value and before maturity to Banker a negotiable note signed by Sucker; Banker is informed that this note is given in part payment of stock in the Wallingford Oil Company which is to be delivered to Sucker, and which Promoter has represented to be very valuable. After Banker buys the note, Promoter fails to deliver the stock and its value is ascertained to be very much less than was represented. Is Sucker liable on the note?

10. The Charlottesville Hardware Company draws a check for \$500.00 on the Albemarle National Bank payable to the Nelson Hardware Company. A clerk of the Nelson Hardware Company fraudulently indorses the name of this Company on the check and deposits it in the First National Bank to his own account. In due course of collection the check is presented to the Albemarle National Bank, and by it paid and charged to the account of the Charlottesville Hardware Company. The fact that the indorsement of the Nelson Hardware Company has been forged is discovered after the Clerk has absconded. Who bears loss?

11. Hutton & Company, brokers, of Richmond, sell to Sam Speculator a negotiable note, payable to bearer waiving protest, etc., and executed by the Confederate Memorial Society, Inc. This note is delivered to Speculator with the indorsement "Without recourse on us. Hutton & Company." Speculator indorses the note for value

and before maturity to Hopeful Investor; Speculator then becomes bankrupt. The note is not paid at maturity, and then for the first time Investor and Hutton & Company ascertain that the charter of the Memorial Society positively forbids it to issue notes. Investor comes to you for advice. What are his rights?

12. A negotiable note is signed.

"Alfred Wise, Agent for Thomas Diggs."

Wise is the authorized agent of Diggs. Who is liable on the note (1) at common law (2) in Virginia?

13. Miller and Rhoads advertise an auction sale of their entire stock of rugs. The day before the sale Mrs. Haynes, who has expressed her desire to purchase a Persian Prayer Rug, is assured by the agent in charge that this rug is a genuine Persian Prayer Rug from the mosque of Omar. Mrs. Haynes replied, "If you say so I am satisfied," and made no further examination. Mrs. Haynes attended the auction and bought the rug at a price of \$500.00 cash. The rug was of domestic manufacture and worth only \$10.00 but this fact was unknown to any of the parties until after the sale. Has Mrs. Haynes any recourse?

14. What are the remedies of the seller upon the failure of the buyer to take and pay for personal property.

15. The electric transmission line of the Appalachian Power Company passes through A's farm. A cuts a tree growing on his land near the right of way of the Power Company; through A's negligence this tree falls across the transmission line and breaks one of the wires; which in turn falls on a wire fence. B, who unknown to A. has been working in an adjoining field, attempts to climb over the fence just at the moment the transmission wire falls and he is killed. Has B's administrator any remedy against A?

16. In consequence of the joint negligence of the City of Richmond and the Street Railway Company X is injured. He sues the city and recovers judgment. Can the city compel contribution from the Railway Company?

Section 3.

1. John Adams, a resident of Wythe County, Virginia, disliking his wife Sarah leaves home and acquires a domicil in Ohio. After living there for twenty years he sues for a divorce in the Courts of Ohio. This suit is brought in the proper court prescribed by the Ohio statute, an order of publication is duly published and in addition a copy of the process is mailed to Sarah in Virginia; Sarah receives the process but does not appear in the Ohio Court and Adams is granted an absolute divorce on the ground of Sarah's desertion. Adams remarries and dies seized of real estate situated in Virginia and Ohio, acquired after the divorce; at the time of his death he was a citizen of Ohio. Sarah claims dower in both Virginia and Ohio

lands and institutes suits therefor in the respective jurisdictions. Is she entitled to dower in either state?

2. Cohen owes Smith \$1000.00. Smith learns that Cohen has disposed of all his real estate and is about to remove all of his personality to Nevada. Smith consults you in regard to applying for an injunction to prevent the removal of the personality until his debt is paid. Would you advise injunction proceedings?

3. The Farmers Bank obtains judgment against A. B. and C. the maker and indorsers on a negotiable note. C. the last indorser pays the judgment. C. then files a bill against B a prior indorser, praying that the lien of the judgment be enforced against B's real estate. B. establishes the fact that he and C. were to be equally liable on their indorsements and also that he, B., has paid off another note made by A. and similarly indorsed. What decree should be entered?

4. The directors of a bank are guilty of mis-management of the affairs of the bank over a period of ten years. This is not discovered until the bank closes its doors. The directors are sued and plead the statute of limitations. What, if any, is the limitation applicable and when does it begin to run?

5. Sharper obtains by fraud a deed to Blackacre from Smith. Sharper immediately sells Blackacre to Adams who places both deeds on record. Adams has no knowledge of Sharper's fraud. Who is entitled to Blackacre, Smith or Adams?

6. White and Brown form a mercantile partnership by oral agreement, nothing being said as to division of profits or losses, nor as to salaries. White contributes \$5,000.00 and Brown \$3,000.00 to the firm's capital. The partnership is terminated after ten months by the death of Brown. White conducts the business during Brown's illness, lasting four months, and shortly after Brown's death sells out the business for \$10,000.00 over and above the firm debts. White claims that he should be allowed reasonable compensation for conducting the business and winding it up. How should the assets of the firm be distributed?

7. Albert Henry, a member of the firm of Thomas, Henry and Company is indebted to Wilkins in the sum of \$150.00. Wilkins demands payment and Henry offers to credit the account due from Wilkins to the firm by \$150.00. This offer Wilkins accepts and Henry executes the firm's receipt to Wilkins for that amount. Subsequently the firm institutes suit in their name against Wilkins for the account. May Wilkins successfully plead the payment to Henry as evidenced by the above receipt?

8. A and B own adjoining farms, Whiteacre and Blackacre. In 1880 A builds a road along the division line believing that it is on his own land, Whiteacre, but due to mistake as to the true location of the boundary the road is constructed on Blackacre. In 1905 A and

B decide to establish the line between their farms, and the mistake is discovered, namely that the above roadway is really on B's land, Blackacre. A continues to use the roadway until 1921, at which time B obstructs it. (1) What are the rights of the parties? (2) How enforced?

9. What are the differences between dower and curtesy in Virginia?

10. James Washington, the owner of but one tract of land in Wythe County containing 256 $\frac{3}{4}$ acres, executes the following paper:

"Received of Wm. Green \$10.00 for option on one tract of land in Wythe County containing 256 $\frac{3}{4}$ acres more or less; said option to continue for twenty days from this date. Terms, one third cash, balance payable in three equal annual installments, total purchase price to be \$12,000.00. Sept. 10, 1921.

Witness

James Washington."

Horace Speeks.

Sept. 15th, oil is discovered on adjoining land. Jno. D. Rockefeller learns that the above paper is in existence and offers Green \$50,000.00 cash for the property. On Sept. 28th Green tells Washington that he is desirous of purchasing the property according to the terms of the paper aforesaid, but Washington declines to execute a deed. Green asks you to advise him as to his right to recover damages from Washington, and the amount thereof. What is your advice?

11. A conveys "with general warranty" to B. one hundred and fifty acres of land described by metes and bounds. A dies possessed of a large landed estate and personal property entirely disposed of by his will. After A's death C sues in ejectment and recovers from B. the one hundred and fifty acre tract. Are A's heirs or devisees or his personal representative liable to B. on the general warranty (1) at common law (2) in Virginia?

12. Wm. Jones leases to Henry Hilton a store room on Broad Street. There are apartments over the store room which are not embraced in the lease. The lease is silent as to any assignment or sub-letting. Hilton assigns his lease to Robert Rake who operates a garage in the storeroom. Due to the noise necessary to the work in the garage and the increased insurance rates the tenants in the apartments vacate, causing Jones to lose more rent than he receives from Rake. Has Jones any remedy, and if so against whom?

13. Wm. Younghusband executed the following will:

"I give all my real estate and personal property to my beloved wife Janie, for as long as she lives, and at her death to be disposed of as she may deem proper."

Younghusband dies leaving surviving him a half-brother, who also survives Janie. Janie marries Alex Newman and dies intestate without conveying away any of the property taken under the will. Janie

leaves surviving her Newman and one child of the second marriage. Who is entitled to the real estate devised by Younghusband?

14. "Brest, France.

"I, Sam Browne, in the event I do not return, do give, devise and bequeath all my property to my sister Mary. Written in my own handwriting this 15th Oct. 1918.

Sam Browne,
Capt. A. E. F."

Browne does return, is mustered out of service, lives five years and dies unmarried. The above document is found among his valuable papers. Is it the will of Sam Browne?

15. Mr. Gotrox comes into your office and tells you that he is leaving immediately for a long journey and before departing wishes if possible, to execute a will that may be valid in every state of the Union. You must act at once and have no means of consulting the various codes. What would you advise Gotrox?

16. What are the formal requisites of a will disposing of real estate in Virginia?

Section 4.

1. The First National Bank rents boxes in what it advertises as "A burglar-proof Safe." Access to the boxes can be had by the use of only two keys, one held by the bank customer, the other by the Bank. Investor rents one of the boxes for a year at the agreed price of \$5.00. He puts in the box U. S. Bonds amounting to \$100,000.00, half of these bonds disappear. Is the bank liable?

2. The Virginia Beach Bathing Co. conducts a bath house, renting bathing suits and furnishing its patrons with rooms in which to leave their clothing while bathing, making a charge therefor. Davis, a patron of the Bathing Co. leaves his clothes in the place assigned him and due to an employee's negligence they are stolen. Is the Bathing Co. liable?

3. The C. and O. Railway Company operates a branch line on which is run a mixed passenger and freight train. The Pyrites Mining Company stores dynamite in the basement of its warehouse situated on its own land but near the Railway Company's right of way. This dynamite accidentally explodes just as the train passes. A horse in the freight car and a man in the passenger car are killed by debris from the warehouse. The bill of lading covering the shipment of the horse does not vary the common law liability of the carrier. What, if any, is the liability of the Railway Company?

4. Proctor and Gamble ship a car of soap to Kress & Co., Lynchburg, Va. The bill of lading provides that:

"Property not removed within 48 hours (exclusive of legal holidays), after notice of its arrival has been given to the consignee

shall be held by the carrier subject to a reasonable charge for storage and as to carrier's responsibility as Warehouseman only."

The car arrives Wednesday, is placed on a public delivery track and Kress & Co. notified. On Thursday Kress & Co. begin unloading and sometime during that night soap to the value of \$500.00 is stolen from the car. What, if any, is the liability of the carrier?

5. Hickman, intending to board the train for Washington, starts down the steps of the Southern Railway Station at Charlottesville. He slips on a banana skin and is injured. Is the Southern Railway liable to him for damages?

6. West & Company ship by the N. & W. R. R. a car load of cattle to a commission merchant at New York. This car is delivered promptly by the N. & W. to the Pennsylvania R. R. Co., but due to the negligence of the latter it reaches New York two days late. If the cattle had arrived on time they would have brought ten cents a pound but as it was they were sold for eight cents. West & Company sue the N. & W., is it liable to them, and if so what is the measure of the recovery?

7. The General Assembly of Virginia passes an act entitled "An Act to provide for the working and keeping in repair the public roads of Highland County." The body of the act prescribes that one commission created by the act shall have authority to establish and open public roads and that another commission shall have charge of maintaining all roads then or thereafter established. Is the act constitutional?

8. (1) Whence is derived the authority of Congress and of the Virginia Legislature?

(2) In each instance how is the scope of that authority determined?

9. The town of Lexington desiring to improve its streets purchases and operates a rock quarry outside its corporate limits for the purpose of obtaining stone for this improvement. Due to the negligent manner of operation Boggs, a workman in the quarry, is killed. Is the town liable?

10. A statute in Virginia requires jailors to segregate prisoners having contagious diseases. In disregard of the statute the Sheriff of Henrico County confines Billings in the cell with a man known to be suffering from small-pox. Billings contracts the disease and dies. Has his administrator any right of action against the County? Suppose it had been a town "lock-up," would there be a right of action?

11. The Farmer's Supply Co. is a Virginia corporation, chartered for the purpose of conducting a general hardware and implement business. At the end of the fiscal year it is found that there is a large cash surplus on hand. The directors determine to invest this

in stock of the Florida Citrus Company, a Florida corporation engaged in growing oranges. Jenkins, a minority stockholder, does not approve of the investment and asks your advice as to his rights. What would you advise him?

12. What agency in Virginia charters corporations, of whom does it consist and how are they chosen?

13. What is the duty that a director owes to a bank?

14. The Moline Corporation instructs Scott, its President, to buy 200 tons of steel. While trying to make this purchase, Scott learns that the Ingot Company will sell 300 tons of steel at a very attractive price, he also finds that 100 tons of this steel can be disposed of at a profit. Without saying anything to the other directors, Scott buys the steel, 200 tons for the Corporation and 100 for himself, and sells the latter at \$1,000.00 profit; the corporation had funds sufficient to buy all the steel. Who is entitled to the profit, Scott or the Moline Co.?

15. The Sun Life Insurance Company issues a policy on the life of Adams. The policy provides: "This policy shall be incontestable after two years except for non-payment of premiums." After the policy has been in force five years Adams commits a robbery, is sentenced to death therefor and executed. Is the company liable to the beneficiary (1) at common law and (2) in Virginia?

16. Jones takes out a fire insurance policy on his storehouse. The policy provides among other things: "This policy shall be void if the interest of the insured be other than sole and unconditional ownership." There is a deed of trust on the property. The store-house burns down. Is the company liable?

A Clerical Privilege.—In *Campbell v. Campbell*, 22 Grant's Ch. 331, it is said that according to the old canonists, if a clergyman is found embracing a woman in some secret place, this does not, as in the case of other people, prove adultery, for "he is not presumed to do it on account of the adultery, but rather on the score of giving his benediction or exhorting her to penance." This extremely convenient rule which the ecclesiastics propounded when framing their canon law is not in vogue in modern times. *Requiescere in pace.*

Humanity's Power to Destroy Evils.—It is a strange record that every evil which should have destroyed mankind has itself been destroyed by mankind. There seems to be something fatal in humanity for an evil which succeeds in invading it with menacing power. Humanity seems to be like those plants which draw insects into their cups, and then close upon them and destroy and consume them. A bad system of thought or action takes hold on the world, draws mul-

titudes of good people into it, and it certainly looks as if the whole world is going to the devil. But wait—after all those good people are misled and deceived, they destroy the system. It seems to be predestined that evil shall be destroyed by what appears to be its chief success. The long story of humanity's contest with colossal evils seems to prove this. And certainly it is a strong basis for that basic optimism which is faith.—*The Dearborn Independent.*

LIST OF SUCCESSFUL APPLICANTS.

The following passed the bar examination held at Richmond December 13-14, 1921:

Adams, Pauline F. (Mrs.)	Norfolk, Va.
Alderson, E. P.	Summersville, W. Va.
Barber, Lewis	Norfolk, Va.
Beale, Guy Otis	Richmond, Va.
Birchfield, Harris S.	Roanoke, Va.
Buck, Frank P.	Rural Retreat, Va.
Campbell, Edmund Douglas	Lexington, Va.
Cole, Samuel H.	Norfolk, Va.
Cook, Allen M.	Norfolk, Va.
Cooley, James P.	Clarendon, Va.
Davis, John C.	Portsmouth, Va.
Dickinson, E. Wright	Richmond, Va.
Drewry, W. Shepherd	Norfolk, Va.
Drummond, H. Ames	Accomac, Va.
Finney, John E.	Richmond, Va.
Foster, John C.	Norfolk, Va.
Galleher, W. Cary, Jr.	Richmond, Va.
Ganzert, Archer S.	Richmond, Va.
Hannah, William N.	Palmyra, Va.
Homer, Abraham	Richmond, Va.
James, R. Bleakley	Clifton Forge, Va.
Jewett, Carleton Ellsworth	Richmond, Va.
Johnson, Jesse Mabrey	New Canton, Va.
Jordan, Alton L.	Norfolk, Va.
Keller, Walter W.	Lebanon Church, Va.
King, James Davis	Cape Charles, Va.
King, J. E.	Glen Allen, Va.
Messina, Vincenzo	Brooklyn, N. Y.
Moore, Lindsay Lee	Lexington, Va.
McLaughlin, W. M.	Clintwood, Va.
Marfarlane, Edward Lee	Richmond, Va.
Neblett, W. E.	Lunenburg, Va.

Parkinson, Robert H.....	Norfolk, Va.
Peters, Euric S.....	Alexandria, Va.
Pollard, James C.....	Richmond, Va.
Rainey, J. Lorenzo, Jr.....	Newport News, Va.
Ranson, Jane B. (Mrs.).....	Richmond, Va.
Robertson, Cecil M.....	Norfolk, Va.
Robinson, James L.....	Richmond, Va.
Robinson, William L.....	Richmond, Va.
Rose, E. P.....	Clintwood, Va.
Rush, E. B.....	Clintwood, Va.
Smith, Francis W.....	Millers Tavern, Va.
Skinker, J. H.....	Warrenton, Va.
Smith, William Mortimer.....	Richmond, Va.
Starritt, J. William.....	Richmond, Va.
Stinnett, Howard V.....	Cradock, Va.
Strickler, Milton W.....	Midland, Va.
Walker, Edward V.....	Charlottesville, Va.